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3° GULIELMI IV. Cap. lxxviii.

Commissioners by
Francis
Richard
Price, Esq.

or any Person or Persons who may be Trustee or Trustees for him or them, and other the Person or Persons who may be rightfully entitled to the Inheritance in Fee Simple of a certain Piece or Parcel of Land situate near *Chester Street* within the said Township or Chapelry of *Birkenhead*, bounded on the North Side thereof by a new Street leading from the South Side of *Hamilton Square* to *Grange Lane*, and on the South, East, and West thereof by other Land of the said *Francis Richard Price*, and containing by Estimation One Acre or thereabouts, at any Time after the passing of this Act to make and execute such Grants, Releases, Conveyances, and Assurances as may be necessary or expedient for conveying and assuring the said Piece or Parcel of Land, and the Inheritance thereof in Fee Simple in possession, unto the said Commissioners and their Successors, for the Purposes of this Act; all which Conveyances and Assurances may be made in the Form or to the Effect herein-after mentioned.

Upon Execution of Conveyances, Land to vest in the Commissioners.

XXXV. And be it further enacted, That when and as soon as such Conveyances and Assurances shall have been executed by the said *Francis Richard Price*, his Heirs or Assigns, or his or their Trustee or Trustees, the said Piece or Parcel of Land, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Commissioners and their Successors, to and for the Purposes of this Act, and be used as a Market Place for ever.

Market to be established.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to open and establish a Market upon the said Piece or Parcel of Ground, and to divide, arrange, and appropriate the same Piece or Parcel of Ground in such Manner as they shall think fit, and upon and under the same to build, erect, construct, and put up such Buildings, Shops, Stalls, Shambles, Standings, Sheds, and other Erections, and such Vaults and Cellars, and such Reservoirs and Cisterns for the Purpose of holding Water for the Supply of the said Market, and to lay down, upon or under the said Piece or Parcel of Ground, and any of the adjoining Streets, Roads, or Places; such Pipes for conducting the Water to supply the said Market, and from Time to Time to make such Alterations in the Division, Arrangement, and Appropriation of the said Piece or Parcel of Ground, and such Repairs, Alterations, and Amendments of or in the Shops, Erections, and Buildings for the Time being thereon, and of and in the Vaults and Cellars for the Time being under the same, and of or in the Reservoirs and Cisterns for the Time being upon or under the same, and of or in the Pipes for the Time being for conducting the Water to supply the said Market, and generally from Time to Time to do and perform all such other Acts, Deeds, and Things as shall appear to the said Commissioners to be necessary, proper, or advisable for the Establishment of the said Market, and for the Preservation, Support, and Continuance thereof; and the Market to be opened and established as herein-before is mentioned shall be a Market for the Sale of Meat, Fish, Poultry, Rabbits, Pigs, Eggs, Meal, Flour, Butter, Cheese, and other Articles of Food, Hay, Straw, Grain, Grass, Vetches, Fruit, Vegetables, Plants, Flowers, Herbs, Roots, Seeds, Glass, Earthenware,

ware, and Crockery, and all such other Goods, Wares, Articles, Commodities, Matters, and Things, Cattle only excepted, as are usually sold or exposed to Sale in public Markets.

XXXVII. And be it further enacted, That it shall and may be lawful for the said Commissioners to appoint and fix, and from Time to Time, at their Discretion, to alter and vary or add to, the Number of the Days on which such Market shall be holden, and also to appoint any Number of Fairs to be holden in the said Township annually, not exceeding Six, and the Days on which the same shall be holden.

Commissioners to fix the Days on which Markets are to be held.

XXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to Sale any marketable Goods, Articles, or Things in his private Dwelling House or Shop.

Not to prevent Sale in Dwelling House or Shop.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to let the Erections and Buildings, comprising Shops, Rooms, Store-rooms, and Warehouses, for the Time being standing or being upon the said Plot or Parcel of Ground, and also the Vaults and Cellars for the Time being under the said Piece or Parcel of Ground, to such Persons as shall be desirous of taking the same for such Terms or Periods and at such Rents as the said Commissioners shall think fit; and in any Lease to be granted under this Power it shall be lawful for the said Commissioners, notwithstanding anything herein-before contained to the contrary, to give the Lessee Power to expose for Sale and sell, in any Erection or Building comprised in such Lease, any Articles or Things besides those for the Time being saleable in the said Market under the Provisions of this Act, Cattle only excepted.

Power to lease the Buildings in the Market.

XL. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to make, constitute, provide, and ordain Rules, Orders, and Byelaws (not inconsistent with or repugnant to the Directions or Provisions contained in this Act, or to or with any Law or Statute of that Part of the United Kingdom of *Great Britain and Ireland* called *England*,) for fixing the Times at which any particular Articles or Things shall be brought to or exposed for Sale in the said Market, and for fixing the Hours for commencing and closing the said Market in each Day, and for the Arrangement and Division of the said Market, and for the placing in the said Market the Waggons and Carts bringing or taking away any Articles or Things to or from the said Market, and for the placing in the said Market the Articles and Things brought to the same for Sale, and for the cleansing of the said Market, and for the letting, occupying, holding, and using of the Stands there, and for the regulating, ordering, and governing, so far as relates to the said Market, all Persons having or seeking for any Business or Employment in the said Market, and in such Rules, Orders, and Byelaws to fix and specify what pecuniary or other Penalties and Forfeitures shall be incurred by any Person breaking the same or any of them, provided that no such pecuniary Penalty or Forfeiture shall exceed the Sum of Five Pounds for One Offence; all which Rules, Orders, and Byelaws so to be made from Time to Time as aforesaid all Persons whom

Power to make Bye-laws, &c. for the better Regulation of the Market.

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[REDACTED] [44 & 45 Vict.]

For securing the safe custody and redelivery of any property accidentally left with porters or drovers and fixing the charges to be paid in respect thereof:

For imposing penalties on persons acting as porters or drovers without being licensed:

And in any such byelaws the Corporation may (if they think fit) adapt mutatis mutandis to porters and drovers such of the provisions of the Towns Police Clauses Act 1847 relative to drivers of hackney carriages as the Corporation may deem applicable. Provided always that the provisions of this section shall not extend or apply to drovers employed at or in connexion with the present or any future wharves fairages slaughter-houses or places for the landing of animals on the estate of the Mersey Docks and Harbour Board so far as such drovers shall be employed on the estate of the Board.

XIII.—MARKETS AND SLAUGHTER-HOUSES.

continue and
establish
markets and
fairs and
slaughter-
houses.

[REDACTED]. With respect to cattle and other markets and fairs and the providing of cattle markets weighing houses and slaughter-houses the Corporation shall have the following powers (namely):

- (1.) They may provide cattle markets with offices approaches works and conveniences and may from time to time establish and hold cattle markets and cattle fairs:
- (2.) They may continue and from time to time appoint and provide market places and market houses for the sale of marketable articles and places for fairs with offices approaches and conveniences:
- (3.) They may continue the markets and fairs held at the commencement of this Act and may from time to time alter the days on which and the places at which the same respectively are or may held and may establish and hold new markets and cattle fairs:
- (4.) They may provide and keep weighing houses or places weights and measures scales and machines for weighing or measuring articles and weighing carts and may appoint and keep persons to attend to such weighing or measuring:
- (5.) They may from time to time provide and maintain slaughter-houses with or without fittings and conveniences:
- (6.) They may demand and receive tolls stallages and rents (not exceeding the tolls stallages and rents specified in schedule D of this Act) from persons selling or offering or exposing for sale cattle or articles in any market or fairs in the borough or

using or occupying the shops stalls standings or other conveniences in the markets or fairs or frequenting the markets or fairs or using the weighing house or places weights measures scales or machines in the markets or fairs or using the slaughter-houses :

A.D. 1881.

- (7.) They may alter or discontinue any cattle or other market or fair of the Corporation and enlarge improve alter or remove any market place or market house or any place for cattle or other markets or fairs or any slaughter-house or any approach work or convenience or any weighing house or place belonging to the Corporation.

134. If any person liable to the payment of any toll stallage rent or charge for weighing payable to the Corporation does not pay the same when demanded the Corporation or their lessee or any person authorised by the Corporation or their lessee to collect the same may seize and detain the animal or article in respect of which the same is payable or any other animal or article in the market belonging to the person liable to pay the same or under his charge and if the toll stallage rent or charge and the reasonable expenses of the seizure and detention and of the keeping and maintaining of the animal or article seized are not paid in case of perishable articles seized forthwith and in case of animals or other articles seized within four days from the time of seizure the Corporation or their lessee may forthwith or on the expiration of those four days (as the case may be) sell the animal or article seized and out of the money arising thereby may pay and retain the toll stallage rent or charge and the expenses aforesaid and of the sale returning the overplus (if any) to the owner of the animal or article seized or such toll stallage rent or charge and such expenses may be recovered in any court of competent jurisdiction.

Recovery
of tolls.

135. If any dispute arises concerning any toll stallage or rent or the charges of keeping or selling any animal or article seized or detained under the powers of this Act such dispute shall be determined by a court of summary jurisdiction and the court shall on application make such order therein and may award such costs to either party as may appear to the court just.

Settlement
of disputes
as to tolls.

136. If any animal article or thing brought into a market of the Corporation and liable to toll be not removed at or before the closing of such market the toll payable in respect thereof shall be doubled in amount and all the provisions for the time being in force with respect to the recovery of the ordinary toll on such animal article or thing shall extend and apply to such double toll.

Double toll
on animals,
&c., left in
market at
the close.

